

Serial No.: 10/750,795
Examiner: Knowlin Thjuan Addy

REMARKS

In a May 19, 2009 non-final office action, Examiner rejected claims 1-50 under 35 U.S.C. § 103(a). Examiner rejected the independent claims of the present patent application under 35 U.S.C. § 103(a) as being unpatentable over Gray et al. (U.S. Patent Publication No. 2004/0028197) in view of Denton et al. (U.S. Patent No. 7,295,669) and further in view of Lindley et al. (U.S. Patent No. 7,200,218).

At the time of this May 19, 2009 office action, claims 1-50 were pending with claims 1, 11, 21, 32, 37, 41 and 50 being independent claims.

Examiner cites Denton as containing the "a computer associated with the first PBX phone, with the computer including a PBX Messaging Integration Client (PMIC), with the PMIC associated with an individual and receiving at the computer from the PBX a first message indicating an off-hook state of the first PBX phone" limitation of the independent claims.

However, Denton does not, in fact, disclose this limitation of the independent claims. Denton discloses a method for transferring calls between computers in a call center rather than a system for presence notification in a PBX system. Denton involves the use of softphones, rather than PBX phones. *See* Denton, column 1 (discussing the use of softphones within a computer rather than PBX phones attached to computers). FIG. 1 of Denton shows a telephone 203 inside workstation 120a as opposed to a PBX phone 131

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connected to a computer including a PMIC 141 and a PBX 110 as shown in FIG. 1 in the present application.

Examiner further cites Lindley as disclosing the "computer including a PBX Messaging Integration Client (PMIC) capable of placing and answering PBX calls without a PBX phone, routing incoming calls directed to PBX extensions to other devices, forwarding calls away from the PBX phones to other devices, and placing calls on hold" limitation of the independent claims.

However, Lindley does not disclose this limitation. The cited disclosure of Lindley involves a switch 206/circuit board 212 that is external to the computer (not located within the computer as required by the independent claims). FIG. 2 of Lindley discloses a computer 218 connected to an external switch 206/circuit board 212 which Examiner equates to the PMIC of the present independent claims. However, as shown in FIG. 1 and described in the related discussion of FIG. 1 of the present application, the present invention involves computers enabled with a PMIC. Hence, the PMIC is internal to the computer. This structural limitation is emphasized in the claim language of the independent claims which requires a "computer including a PBX Messaging Integration Client."

Because all claims depending from the independent claims incorporate all limitations contained in the independent claims, all claims of the present application contain patentable subject matter over the cited references.

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CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of this Application, Applicant invites the Examiner to contact the undersigned attorney at 512-306-8533 at the Examiner's convenience.

Respectfully Submitted,

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